

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MATTHEW COLWELL,

Plaintiff,

v.

RYAN WALTERS, in his individual capacity,

and

MATT LANGSTON, in his individual capacity,

Defendants

Case No. 5:23-cv-00476-G

**WITNESS AND EXHIBIT LIST OF
DEFENDANTS RYAN WALTERS AND MATT LANGSTON
IN THEIR INDIVIDUAL CAPACITIES**

In accordance with the Court's Scheduling Order, Defendants Ryan Walters, in his individual capacity, and Matt Langston, in his individual capacity, submit the following witness and exhibit lists. Discovery in this case is ongoing, and therefore this list is based upon present knowledge only. Additionally, Plaintiff has not yet filed a witness and exhibit list, as Plaintiff filed a motion to extend or strike all deadlines [Doc. 56]. In the event said motion is granted, Defendants reserve the right to supplement this Witness and Exhibit List.

WITNESSES

WITNESS	EXPECTED TESTIMONY
The following witnesses are expected to be called at trial in this matter.	
Ryan Walters c/o David R. Gleason, OBA No. 31066 MORICOLI KELLOGG & GLEASON, PC One Leadership Square 211 North Robinson, Suite 1350 Oklahoma City, Oklahoma 73102 Telephone: (405) 235-3357 Facsimile: (405) 232-6515	Expected to testify about all facts and circumstances alleged in the Complaint, the affirmative defenses contained in his Answer, and any matters which are touched on in any deposition given by him. Specifically, Mr. Walters is expected to testify as to his knowledge concerning the facts and circumstances

Email: dgleason@moricoli.com	surrounding Plaintiff's termination from the OSDE, any relevant policies, customs, and practices, of the OSDE related to Plaintiff's termination, and Walters' financial condition as it relates to Plaintiff's claim for punitive damages.
Matt Langston c/o David R. Gleason, OBA No. 31066 MORICOLI KELLOGG & GLEASON, PC One Leadership Square 211 North Robinson, Suite 1350 Oklahoma City, Oklahoma 73102 Telephone: (405) 235-3357 Facsimile: (405) 232-6515 Email: dgleason@moricoli.com	Expected to testify about all facts and circumstances alleged in the Complaint, the affirmative defenses contained in his Answer, and any matters which are touched on in any deposition given by him. Specifically, Mr. Langston is expected to testify as to his knowledge (or lack thereof) concerning the facts and circumstances surrounding Plaintiff's termination from the OSDE, any relevant policies, customs, and practices, of the OSDE related to Plaintiff's termination, and Langston's financial condition as it relates to Plaintiff's claim for punitive damages.
Matthew Colwell c/o Hammons & Hurst 325 Dean A McGee Ave Oklahoma City, OK 73102 405-235-6100	Expected to testify about all facts and circumstances alleged in the Complaint and any matters touched upon in his deposition. Specifically, Mr. Colwell is expected to testify concerning his claims and alleged damages in this case, the facts and circumstances surrounding his termination from the OSDE, his allegations that he provided OSDE information to the office of the Oklahoma Attorney General and an Oklahoma State Representative, any relevant policies, customs, and practices, of the OSDE related to Plaintiff's termination.
Susan Miller, OSDE 2500 N. Lincoln Blvd., OKC, OK 73105 405.521.3301	Ms. Miller is expected to testify concerning the facts and circumstances of Plaintiff's termination from the OSDE, including a meeting occurring on May 25, 2023, in which Plaintiff raised his voice and cursed at Miller in anger, the parties involved in the termination decision, OSDE policies, practices,

	customs, and procedures relevant to Plaintiff's termination, disciplinary history of Plaintiff at OSDE, communications and documentation surrounding Plaintiff's termination. Additionally, Mr. Colwell has not yet been deposed and may testify on any matters touched on in his deposition.
Jamie Miles, OSDE 2500 N. Lincoln Blvd., OKC, OK 73105 405.521.3301	Expected to testify concerning his observations of the meeting occurring on May 25, 2023, in which Plaintiff raised his voice and cursed at Miller in anger.
The following witnesses may be called at trial in this matter.	
Oklahoma State Representative Andy Fugate 2300 N. Lincoln Blvd., Room 545 Oklahoma City, OK 73105 (405) 557-7370	Expected to testify concerning Plaintiff's allegations that he provided information and/or raised concerns to Mr. Fugate concerning OSDE operations and the timing of any alleged interactions.
Representatives of the Oklahoma Attorney General's Office. The identity of any such witness is unknown at this time.	Expected to testify concerning Plaintiff's allegation that he provided information and/or raised concerns to the Oklahoma Attorney General's office concerning OSDE operations and the timing of any alleged interactions.
Witnesses whose relevance is determined through the course of further discovery in this case the identity of whom is not currently known.	
Any witnesses called by the Plaintiff.	
Witnesses necessary for the purpose of authentication of documents, impeachment, or rebuttal.	

EXHIBIT LIST

<u>No.</u>	<u>Exhibit</u>
The following exhibits are expected to be used at trial.	
1	Termination Letter dated May 25, 2023.
2	Contemporaneous statement of Susan Miller describing the incident with Plaintiff which led to his termination dated May 31, 2023.
3	Plaintiff's W-2s from OSDE for 2022 and 2023, showing compensation Plaintiff was receiving at OSDE.
4	Plaintiff's benefit records for OSDE for 2022 and 2023 showing the value of any benefits received by Plaintiff from OSDE.
5	Plaintiff's pay and income records for any job held after his termination from the OSDE.
6	Any document substantiating Plaintiff's allegation that he provided OSDE information to the Oklahoma AG's office or an Oklahoma State Representative, and the respective dates of any such occurrence.
7	Plaintiff's interview with KFOR on or about June 7, 2023. https://kfor.com/news/local/dumpster-fire-frmr-osde-employee-wrongfully-terminated-for-voicing-concerns-over-teacher-bonuses/
The following exhibits may be used at trial.	
8	OSDE Employee Handbook, or excerpts thereof.
9	Employee Handbook acknowledgement signed by Plaintiff on 1/18/22.
10	Plaintiff's offer letter with OSDE dated 12/30/21.
11	Loyalty Oath signed by Plaintiff dated 1/18/22.
12	Any job description related to Plaintiff's position with the OSDE.
13	Confidentiality agreement signed by Plaintiff with the OSDE dated 1/18/22.
14	Any document which Plaintiff alleges to have shared with the Oklahoma AG's office and/or Representative Fugate.
15	OSDE organizational charts.
16	Email from Matt Langston to OSDE employees dated May 25, 2023, re "SDE Policy on Interaction with the Press – Termination."
17	Any medical records produced by Plaintiff in the case evidencing his claimed emotional distress (or lack thereof).

18	Exhibits to any deposition taken in this matter, not objected to by Defendants.
19	Exhibits affixed to any motion, not objected to by Defendants.
20	Documents used for impeachment to which Defendants do not object.
21	Portions of transcripts to which Defendants do not object.
22	Further documents identified through discovery.

Respectfully Submitted,

/s/David R Gleason

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**COUNSEL FOR RYAN WALTERS AND
MATT LANGSTON**

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to parties and attorneys who are filing users.

/s/David R. Gleason